(d) REMARKS

The claims are 1, 3-9, 11, 13 and 15-17 with claim 1 the sole independent claim. The subject matter of claim 12 has been added to claim 1.

Claim 1 has also been amended to provide that the rate of liberation "a" of the conductive fine particle is 75 to 88%, the conductive fine particle is tin oxide and the inorganic fine powder is dry silica treated with at least silicone oil. Support for the changes is found, inter alia, in Example 1, Example 4, Table 2 and Table 3. Tin oxide is disclosed in Table 1, A-1 to A-4 and A-7. Dry silica with surface treatment of at least silicone oil is disclosed in Table 2, B-1 and B-2. Rate of liberation "a" of 88% is in Example 1 and an "a" of 75% is in Example 4. In Examples 1 and 4, tin oxide is used, as well as dry silica with at least silicone oil.

In Tables 4-1 to 4-3, 5-1 to 5-3 and 6-1 to 6-3, the results for Examples 1 and 4 are all "A". Fogging is least in Examples 1 and 4 in Table 4-1 at high temperature and high humidity and transfer efficiency is excellent. In Table 4-2, transfer efficiency is best and collectivity is best. In Table 4-3 similar results are obtained. At low temperature and low humidity conditions, Examples 1 and 4 showed least fogging and excellent transfer efficiency in Tables 6-1 to 6-3.

Claims 1, 3-5, 7-9, 11-13 and 15-17 were rejected under 35 U.S.C. §102(b) as anticipated or as obvious over 2001/0028988 A1 (Magome). Claim 6 was rejected under 35 U.S.C. §103(a) as being unpatentable over Magome, combined with U.S. Patent No. 5,370,957 (Nishikiori) and U.S. Patent No. 6,709,798 B2 (Tamaoki). The grounds of rejection set forth in paragraphs 6-9 of the outstanding Official Action are respectfully traversed.

The Examiner argues Magome discloses a liberation rate "a" of 5-50% and exemplifies a liberation rate "a" of 38.5%. The present claimed invention has a liberation rate "a" from 75 to 88%, which is far beyond that in Magome. Applicants have shown that superior results are provided with such liberation rates, compared to rates liberation "a" of 1 to 38% in present Comparative Examples 1 to 4.

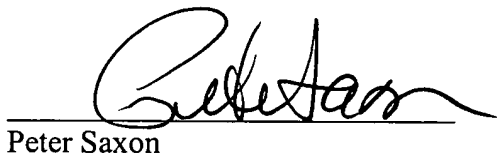
Magome is said to teach conductive zinc oxide. In present Example 7, zinc oxide is employed . The results in Tables 4-2 and 4-3 show reduced dot reproducibility and chargeability. More fogging and reduced transfer efficiency result. In Tables 5-3, 6-2 and 6-2 reduced performance is also seen for zinc oxide. Accordingly, the claimed developers are superior to the toners of Magome based on the results in Tables 4-1 to 6-3.

Further, in Magome, the inorganic fine powder and conductive fine powder were added to the toner by mixing the fine powders simultaneously with the toner. See Magome paragraphs [0279] and [0409]. The magnetic toners were formed by mixing the toner particle with silica fine powder and conductive fine powder, simultaneously. Magnetic Toners 1, 2 and 25-27 were made by simultaneous mixing of conductive fine powder and inorganic fine powder. Applicants, on the other hand, utilize a two-step treatment procedure. This shows further the reason for the differences in performance between the present invention and Magome.

Accordingly, the claims of the present application are not anticipated by Magome nor rendered obvious thereover. The claims should be allowed and the case passed to issue.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



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